

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS**

Gregory J. Smith,

Plaintiff,

v.

Case No. 08-2021-JWL

**State of Kansas, Department of
Social and Rehabilitative Services; and
Gregory Valentine,**

Defendant.

ORDER NUNC PRO TUNC

On August 29, 2008, the court issued a memorandum and order granting defendant State of Kansas's motion to dismiss plaintiff's first amended complaint. The court hereby attaches to this order an amended memorandum and order that simply corrects one typographical error appearing on page 4 of the order filed on August 29, 2008. Specifically, the court inadvertently omitted the word "not" from the first sentence of the paragraph that begins at the bottom of page 4 and concludes on page 5 of the prior memorandum and order. The sentence should read: "The record does not support plaintiff's characterization of the administrative proceedings in this case." The attached memorandum and order reflects this change.

IT IS SO ORDERED this 8th day of December, 2008.

s/ John W. Lungstrum

John W. Lungstrum
United States District Judge